

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DWIGHT RUSSELL, ET AL.

**On behalf of themselves and all
Others similarly situated,**

Plaintiffs,

v.

**HARRIS COUNTY, TEXAS, ET AL.,
*Defendants.***

C.A. No. 4:19-CV-00226

NON-PARTY FELONY JUDGES' MOTION TO QUASH

Exhibit F

Affidavit of Adrian Skinner

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C.A. No. 4:19-CV-00226

My name is Adrian Skinner and I am over the age of 18 and fully competent to make this declaration and state the following:

1. I am currently employed as an electronic discovery specialist with the State of Texas Attorney General.
2. I assist with the discovery for the above-named case.
3. On February 17, 2021, I executed a search of the nineteen Felony Judges' electronic mail data generated between January 1, 2015 and August 2020.
4. Referencing the requests for production in Plaintiffs' subpoenas, the following is a list of reasonable search terms that I used on the targeted database¹:
 - bond
 - bail*
 - release
 - recognizance
 - "pretrial release"
 - "public defender"
 - risk
 - "PR bond"
 - "cash bail"
 - "money bail"
 - "surety bond"
 - "commercial surety"

¹ Fort the Court's reference: (1) words in "parentheses" = search for complete phrase; (2) Using an asterisk (*) at the end of the word = search for multiple characters after the word (Example: "bail*" would look for bail, bails, bailing, bailed, etc); (3) use of "w/" = the first word is search for within a specific number of words from the word(s) that appears after "w/"; (4) use of a question mark (?) at the end of word means both the word and a single character of that word is searched for (Example: "public defender?" would look for public defender and public defenders).

- “pretrial detention”
- “bail reform”
- “personal bond”
- bail W/5 review
- (lawsuit W/25 bail) OR (lawsuit W/25 bond)
- bond W/5 review
- (“federal court” W/25 bail) OR (“federal court” W/25 bond)
- “unsecured bail”
- “unsecured money bail”
- “secured bail”
- “secured money bail”
- magistrature W/10 (open OR access OR public OR video OR stream)
- “pretrial release bond” OR “pretrial release bond” OR “pre-trial release bond”
- “individualized bail hearing?”
- Felony W/10 Judge? W/10 Order
- ROR
- Rosenthal
- Russell
- Rossi
- Karakatsanis
- “mental-health bond” OR “mental health bond”
- “public defender?” W/10 (magistrature OR “individual* bail hearing”)
- (“federal case” W/25 bail) OR (“federal case” W/25 bond)
- representation W/10 (magistrature OR “initial hearing” OR “individual* bail hearing”)
- “17.15”
- General Bond Order
- GBO
- Pretrial Services
- PTS
- Pretrial Release Bond
- PTRB
- PR Bonds
- General Order Bond
- GOB
- Old DA Policy
- Bond Reform
- Bond Schedule
- DA Bond Policy
- “ability to pay”
- “15.17”
- “recommended standard bail practices”
- “Public Safety Assessment”
- “appoint*” w/10 (“public defender” OR attorney OR counsel)

- “provid*” w/10 (“public defender” OR attorney OR counsel)
 - “assign*” w/10 (“public defender” OR attorney OR counsel)
 - “pretrial services”
 - Indigence
 - Indigent
 - “initial appearance”
 - “Hearing Officer” w/10 (“bail” OR “post-arrest process” OR “magistration” OR preliminary court appearance? OR “conditions of release”)
 - “GA-13”
 - “Governor Abbott”
 - “court appearance?” w/25 (“in person” OR virtually)
 - “medically vulnerable”
 - Release w/25 medical*
 - Backlogs
 - Case w/10 delays
 - Campaign w/15 (donate? OR gift OR contribute?)
 - Hire w/10 (investigator OR “social worker” OR expert)
 - “Texas Commission on Judicial Ethics”
 - “litigation hold?”
5. The search using the above protocols and timeframe yielded a total of 90,165 documents that will require review by counsel to determine their responsiveness and any privilege assertions.
 6. The average per-page count based on productions already made in this matter is 3.5 pages per document.
 7. This means it can be reasonably estimated that counsel will need to review approximately 315,578 pages for responsiveness and privilege assertions.
 8. This count excludes discovery created within the, now, 22 Felony Judges email accounts from August 2020 to the present.
 9. Harris County provided 75 gigabytes of compressed email representing this new discovery on February 25, 2021; I began downloading the files on February 26, 2021; and as of Monday, March 1, 2021, this discovery is processing.
 10. The processing progress to date is related to the large amount of new email discovery provided by Harris County and performance related to a software update applied to the OAG’s internal discovery processing system.
 11. At this time, I estimate data processing of the 75 gigabytes of new email discovery is 30% complete. Once processing is 100% complete *and* this new discovery has been loaded into our document review system, I will search using the specified key terms and designated custodian lists. I estimate this will occur sometime between March 10, 2021 and March 16, 2021
 12. It is my understanding that Plaintiffs have provided a revised list of keyword search terms they would like the OAG to execute against designated email recipients and senders.
 13. Once I have completed processing the additional compressed email PST files from Harris County for the time period of August 2020 to present and loaded this discovery into our

document review platform I will be able to accommodate the additional searches requested by Plaintiffs and provide a supplemental affidavit as to the findings -- including the document hit count and estimated pages required for review by counsel.

14. The numbers I have represented in this affidavit do not include discovery that may be uploaded after counsel has met with individual Felony Judges to obtain responsive documents from sources other than their electronic email system.
15. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct

Further affiant sayeth not.

Executed on: March 2, 2021.

A handwritten signature in black ink, appearing to read 'AS', with a stylized flourish extending from the end.

Adrian Skinner